



Department of Justice

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FOR IMMEDIATE RELEASE

Friday, May 7, 2010

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EVANSVILLE MAN CHARGED WITH FAILURE TO REGISTER AS A SEX OFFENDER UNDER THE ADAM WALSH CHILD PROTECTION AND SAFETY ACT

PRESS RELEASE

INDIANAPOLIS - David John Smith, 49, of Evansville, Ind., was charged by complaint for failure to register as a sex offender, following an investigation by the U.S. Marshals Service and the Vanderburgh County Sheriff's Department.

The complaint alleges that between January 1, 2010 and May 5, 2010, David John Smith was residing in Vanderburgh County and knowingly failed to register as required by the Sex Offender Registration and Notification Act. Smith was required to register based on a conviction for the offense of attempted rape and sodomy against a minor under the Uniform Code of Military Justice while serving in the United States Navy in Texas. The complaint alleges Smith lived and worked in Evansville and did not register as a sex offender as required.

Smith is charged as part of the Adam Walsh Child Protection and Safety Act of 2006 which was enacted on July 27, 2006. The Act, which is titled in honor of Adam Walsh, the son of America's Most Wanted television host John Walsh, who was abducted and murdered in 1981 at the age of six, is intended to protect children from sexual exploitation and violent crime and to honor the memory of child crime victims. The offense imposes criminal penalties against sex offenders convicted under the Uniform Code of Military Justice that fail to register in states where they reside, are employed, or are students.

According to Assistant United States Attorney Todd S. Shellenbarger, who is prosecuting the case for the government, Smith faces a maximum possible prison sentence of 10 years and a maximum possible fine of \$250,000. An initial hearing was held today before a U.S. Magistrate Judge in Evansville.

The complaint is an allegation only, and the defendant is presumed innocent unless and until proven guilty at trial or by guilty plea.

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